

FILED
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US DISTRICT COURT E.D.N.Y.

★ JUN 22 2011

C/M

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

BROOKLYN OFFICE

RALPH BAKER,

Plaintiff,

- against -

LAWRENCE NOVELTY CO., INC.,

Defendant.

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X

MEMORANDUM
DECISION AND ORDER

11 Civ. 2806 (BMC)(LB)

COGAN, District Judge.

Plaintiff *pro se* brings this action to quiet title to a piece of real estate located in Brooklyn. He is a New Yorker and the defendant, which is allegedly the record owner of the property in question, is an inactive New York corporation.

Federal courts are courts of limited jurisdiction. Based on the allegations concerning the parties, the only basis for this Court to exercise jurisdiction would be if the action arose under the Constitution or some federal law. See 28 U.S.C. § 1331. It does not, at least not in any way that is apparent from the face of the complaint. The action appears to present a common law claim under the law of the State of New York and must be brought in the New York state courts, not a federal court.

The complaint is therefore dismissed. Plaintiff may file an amended complaint within 21 days if he can explain how this case involves the United States Constitution or some federal law. If he fails to file an amended complaint within this period, the action will be marked closed.

This Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from this Order would not be taken in good faith and therefore *in forma pauperis* status is denied for purpose of an appeal. Coppedge v. United States, 369 U.S. 438, 444-45, 82 S. Ct. 917 (1962).

SO ORDERED.

Dated: Brooklyn, New York
June 21, 2011

U.S.D.J.